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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 6 April 2005 from the Permanent Mission of Myanmar to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Union of Myanmar to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), concerning the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, and has the honour to transmit the report of the Government of the Union of Myanmar on the implementation of the resolution.

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Annex to the note verbale dated 6 April 2005 from the Permanent Mission of Myanmar to the United Nations addressed to the Chairman of the Committee

Government of the Union of Myanmar national report on the implementation of Security Council resolution 1540 (2004)

United Nations Security Council Resolution 1540

1. On 28 April 2004, the Security Council unanimously adopted resolution 1540 (2004), in the Council which affirmed that the proliferation of Nuclear, Biological and Chemical Weapons, as well as their means of delivery, constitutes a threat to international peace and security. Acting under Chapter VII of the Charter of the United Nations, the Council decided that States shall refrain from providing any support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use Nuclear, Biological and Chemical Weapons and their means of delivery.

General Overview

2. Myanmar has taken necessary measures to comply with the Security Council Resolution 1540, including cooperation with neighbouring countries. It is Myanmar's national policy and a basic principle that Myanmar does not develop, acquire, manufacture, possess, transport, transfer or use Nuclear, Biological and Chemical Weapons. Although there are no stockpiles of Weapons of Mass Destruction (WMDs) at the arms depots of the Ministry of Defence or other armed forces, for instance the Police Force, special arrangements and necessary measures are being taken to prevent such weapons from falling into the possession of non-state actors and terrorist organizations.

3. The Government exercises utmost vigilance to ensure that WMDs do not enter Myanmar territory even in the event of their being acquired by non-state actors. The following departmental organizations maintain round the clock watch over all land, sea and air border entry/exit points:

(a) Security Units under the Ministry of Defence

(b) Military Affairs Security Units

(c) Myanmar Police Force

(d) Customs Department

(e) Immigration Department

(f) People's Militia

(g) Other credible sources of information

4. Myanmar does not manufacture, acquire or possess systems capable of delivering Nuclear, Biological or Chemical weapons.

5. Teams composed of officials from the above-mentioned departmental organizations operate at border entry/exit points to ensure that terrorists do not gain a foothold in Myanmar's territory. Likewise, regional security is controlled by the Armed Forces (Tatmadaw) with outposts and fortified bases along the national boundary and regularly patrolled by mobile units.

6. Myanmar cooperates with neigbouring countries to combat transnational organized crime, narcotic drugs trafficking, human trafficking etc., in accordance with Bilateral, Regional and International agreements. In so doing, the authorities also ensure that WMDs and delivery systems do not gain entry nor transit Myanmar's territory.

7. In Myanmar, a Firearms Supervisory Board has been in existence since 1977. It is chaired by the Minister for Home Affairs. The Director General of the Myanmar Police Force, Director General of the General Administration Department, and the Brigadier General– General Staff of the Ministry of Defence are members of the board. The Police Colonel General Staff of Myanmar Police Force Headquarters acts as the Board's Secretary. The relevant laws concerning firearms are :

(i) The Arms Act, 1878

(ii) The Explosives Act, 1884

(iii) The Explosive Substances Act, 1908

(iv) The Arms Emergency Punishment Act, 1949

(v) The Arms (temporary) Act, 1951

8. Due to tough measures taken by the law enforcement agencies, activities of organized criminal gangs and terrorists are almost non-existent inside the country. The security of all citizens is being assured by the Armed Forces and the Police Force.

9. Notification 10/1999 of the Ministry of Commerce forbids normal trade, border trade and transit trade of firearms. Appropriate internal laws have been enacted to take necessary action against illicit trafficking and brokering of toxin chemicals, explosives and weapons. These laws include the Sea Customs Act, 1878, the Land Customs Act, 1924, the Pesticide Law, 1990, the Atomic Energy Law of 1998 and the Control of Money Laundering Law of 2002, section 5 (a) (5).

Regional Cooperation

10. At the regional level, Myanmar actively participates in the ASEAN Regional Forum(ARF) to achieve tangible results towards regional peace and security. Myanmar has also been participating in suppression of transnational organized crimes in cooperation with ASEAN member countries and her neighbouring countries.

International Cooperation

11. Myanmar acceded to the Treaty on the Non-Proliferation of Nuclear Weapons on 2 December 1992. She also ratified the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water on 15 November 1963. She is also a signatory to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction; Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and, the Comprehensive Test-Ban Treaty. She has also ratified the Southeast Asia Nuclear Weapon-Free Zone Treaty.

12. Myanmar acceded to the United Nations Convention against Transnational Organized Crime on 30 March 2004, and to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. The Myanmar Mutual Assistance in Criminal Matters Law of 2004 contains provisions that ensure investigatory, prosecutive and judicial assistance in criminal matters.

13. Myanmar is also a State Party to ten global conventions on terrorism and a signatory to one convention.